

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE See Block #2		PAGE OF PAGES 1 of 1									
2. AMENDMENT/MODIFICATION NO. 006		3. EFFECTIVE DATE 23 JAN 2006		4. REQUISITION/PURCHASE REQ.NO.		5. PROJECT NO. (If applicable)									
6. ISSUED BY AD/SSD CODE DEPARTMENT OF ENERGY NNSA SERVICE CENTER - AD PO BOX 5400 ALBUQUERQUE, NM 87185-5400 LINDA M. WORTHINGTON 505-845-4693  lworthington@doeal.gov		898358		7. ADMINISTERED BY (If other than Item 6)		CODE									
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(X)		9A. AMENDMENT OF SOLICITATION NO. DE-RP52-06NA26486									
				X		9B. DATED (SEE ITEM 11)									
						10A. MODIFICATION OF CONTRACT/ORDER NO.									
						10B. DATED (SEE ITEM 13)									
CODE		FACILITY CODE													
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>															
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning <u>0</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.															
12. ACCOUNTING AND APPROPRIATION DATA (If required)															
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATION OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">(X)</td> <td>A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: ( ) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. ITEM 10A.</td> </tr> <tr> <td></td> <td>B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).</td> </tr> <tr> <td></td> <td>C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:</td> </tr> <tr> <td></td> <td>D. OTHER (Specify type of modification and authority)</td> </tr> </table>								(X)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: ( ) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. ITEM 10A.		B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).		C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:		D. OTHER (Specify type of modification and authority)
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	D. OTHER (Specify type of modification and authority)														
<b>E. IMPORTANT:</b> Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.															
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) <b>SEE CONTINUATION SHEET</b>															
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.															
15A. NAME AND TITLE OF SIGNER (Type or print).				16A. NAME AND TITLE OF SIGNER (Type or print)  TERESA M. MARTINEZ											
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED									
_____ (Signature of person authorized to sign)				BY _____ (Signature of Contracting Officer)											

The purpose of this amendment is to post an addendum to the SWPPP Plan, answer a question and clarify that the proposal due date has not changed.

1. Please see attached file for the addendum to the SWPPP Plan.

this permit is not re-issued or replaced prior to its expiration, it will be administratively continued (see Appendix A- Part 4.1).

The contractor is required to post a notice near the main entrance to the site. The notice shall meet the requirements of Part 3.12 of the Federal Register (see Appendix A) and will contain the following information:

- NPDES Permit number and/or copies of NOIs until the Permit number is received.
- The name and telephone number of a local contact person.
- A brief description of the project.
- Location of the current plan.

The Contractor must submit a completed Notice of Termination (NOT) form (see Appendix A) when storm water discharges associated with construction activity are no longer expected to occur. Contractor is expected to file NOT when disturbed soils at the construction site are stabilized, temporary erosion and sediment control measures are removed, or will be removed at an appropriate time, or when all storm water discharges associated with construction activity from the construction site are eliminated. Final stabilization means that all soil-disturbing activities at the site are completed, and that a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures are established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) are employed. The NOT must be signed in accordance with Part 5 of the Permit included in Appendix A. It is the Contractor's responsibility to complete a copy and to file the NOT in Appendix A.

D. Owner's/Operator's Responsibilities for Filing Notice of Termination (NOT)

The Owner/Operator must submit a completed Notice of Termination (NOT) form (see Appendix A) when storm water discharges associated with construction activity is no longer expected to occur, when the site is in final stabilized form or when the Owner/Operator is no longer the Owner/Operator on site. Final stabilization means that all soil-disturbing activities at the site are completed, and that a uniform perennial vegetable cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures are established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) are employed. The NOT must be signed in accordance with Appendix G, Section 11 of the General Permit in Appendix A. It is the Owner/Operator's responsibility to complete a copy and to file the NOT in Appendix A.

E. Administrative Issues

The term "Owner" shall refer to the US Department of Energy

The term "Operator" shall refer to the Sandia National Laboratories.

The term "Primary Contractor" shall refer to

*For Active SWPPP  
insert these*

Within this SWPPP the term "Contractor" shall refer to the contractor hired by Sandia National Laboratories to complete the project described in this SWPPP. The term subcontractor shall refer to any person or company hired by the Contractor to provide materials, equipment, or labor used in the construction of this project.

This SWPPP shall be implemented by the Contractor immediately and shall remain in effect until construction of the project is completed and accepted by the Owner/Operator. The SWPPP shall be kept current at all times and amended as required due to the phase or construction methods utilized by the Contractor.

The Owner/Operator reserves the right to amend this SWPPP and its required activities at any time during construction. Amending the plan may be the result of new rules and regulations, methods of construction utilized by the Contractor, or if the methods of controlling pollution prove to be less than that required by law or SNL standards.

The Contractor and subcontractors on this construction project may be liable for violations, neglect of, or false statements regarding the implementation of this SWPPP and the Clean Water Act as provided for in Part 9 of the Permit Language (Appendix A).

Measures identified in this SWPPP shall be implemented by the Contractor unless specifically identified herein as the responsibility of another party.

**F. Owner's Information**

Name: US Department of Energy  
Address: P. O. Box 5400, Albuquerque NM 87185  
Representatives: Ms. Patty M. Wagner  
Telephone: (505) 845-6036  
Fax: (505) 845-6867

**G. Operator's Information**

Name: Sandia National Laboratories  
Address: PO Box 5800, Albuquerque NM 87185  
Representatives: Matthew Cattaneo  
Telephone: (505) 844-3625  
Fax: (505) 844-7426

**H. Contractor's Information**

Name: Address: Representatives: Telephone: Fax:

There are no industrial activities planned for this project, and therefore no storm water discharges associated with industrial activities are anticipated. Should any industrial activity be proposed during the construction sequence, this SWPPP must be modified accordingly. Such modification shall be the responsibility of the Contractor.

G. Receiving Waters

There are many existing storm drain systems and open channels that serve to drain the project area of storm water. These systems will eventually discharge into the Tijeras Arroyo, which is a tributary of the Rio Grande.

H. Construction General Permit Requirements

A copy of the NPDES Construction General Permit requirements as stated in Federal Register Vol. 63, No. 128 / Monday, July 6, 1998 is attached in Appendix A for information and reference. The subtitle of that document is "Reissuance of NPDES General Permits for Storm Water Discharges From Construction Activities In Region 6":

I. Impacts on Endangered or Threatened Species

Previous biological surveys were conducted in the vicinity of this project by Sandia National Laboratories biologist, Stephanie Salinas. These surveys noted any potential habitat for species of concern in their report along with measures necessary to protect those species. A copy of the biological surveys can be found in Appendix B. These existing surveys indicate several threatened and endangered species are recognized as having the potential for occurring in the vicinity of the project. However, based on SNL evaluation, the DOE has determined that this project is not likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or destroy or adversely modify the critical habitat of such species. An additional biological survey covering the entire construction area will be conducted by Sandia National Laboratories approximately two weeks before construction begins to verify no species of concern are in the area. A copy of that report will be attached to this plan when received.

J. Impacts on Historic Places

(To be provided by SNL prior to construction as part of NEPA process), See Appendix C.

### III. PERMIT ELIGIBILITY RELATED TO TOTAL MAXIMUM DAILY LOADS (TMDL)

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The project area drains to Tijeras Arroyo and the North Diversion Channel (see Section II.G). There are no EPA approved or established TMDLs for these waters of the United States. Therefore, Section 3.12 of the permit does not apply and this project is eligible for permit coverage.

### IV. CONTROLS

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This section covers the storm water control measures (i.e., Best Management Practices, BMPs) that the Contractor(s) shall employ as part of the construction activity to control pollutants in storm water discharges.

The Contractor(s) shall manage the discharge of storm water from the site in accordance with the NPDES permit and the following provisions of this document. The Contractor(s) shall be responsible for installing and maintaining the control measures in accordance with any manufacturer specifications. The Contractor(s) shall monitor the suitability of the designated control measures and management practices to achieve the storm water quality provisions of the permit, and shall make any necessary changes to the controls and practices in order to meet the permit requirements. The Contractor(s) shall update this SWPPP document to reflect any changes to the control measures and management practices for the site. Failure by the Contractor(s) to monitor and correct deficiencies will result in the Contractor(s) being liable for fines and construction delays resulting from any Federal or State agency enforcement action.

The General Contractor will be responsible for implementing and maintaining the control measures as they relate to each of the major soil disturbing activities listed in Section II.B above. The General Contractor may designate these tasks to certain subcontractors as they see fit, but the ultimate responsibility for implementing these controls and ensuring their proper functioning remains with the General Contractor.

A summary of all the control measures that will be implemented at the site is presented in Table 1. These control measures shall be implemented in the sequence that follows the corresponding activity given in the table. Should there be any modifications to the construction sequences, Table 1 must be modified accordingly. Such modifications shall be the responsibility of the Contractor. A brief description of the control measures is included in the following sections.

**Table 1 – Sequence for Implementation of Control Measures**

Sequence	Activity*	Control Measures	Responsible Permittee
1	Utility Potholing and Relocations	Stabilized Entrances and Exits Drainage Path Protection	General Contractor

**DOE Responsibilities:**

- The owner's responsibilities are defined in section 3.2 A. of the permit.
- The owner has operation control over the project specifications for the entire project.
- The Party with day-to-day operational control over of those activities necessary to ensure compliance with the SWPPP and other permit conditions is the General Contractor listed below.

**DOE CERTIFICATION**

This facility is owned and controlled by the U.S. Government, Department of Energy (DOE). Operations conducted at this facility are for the purpose of carrying out the responsibilities of the DOE under the Atomic Energy Act of 1954, as amended, and the Department of Energy Organization Act. This construction project will be awarded to a general contractor that will have day-to-day management of this construction site.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Name and Official Title

Ms. Patty M. Wagner, Manager  
Sandia Site Office  
U.S. Department of Energy  
National Nuclear Security Administration,  
Sandia Site Office, MS-0184  
P. O. Box 5400  
Albuquerque, NM 87185-0184

Signature/Date Signed



12/5/05

**Owner or Developer's Responsibilities:**

- The owner's responsibilities are defined in section III.E.1 of the permit.
- The owner has operation control over the project specifications for the entire project.
- The Party with day-to-day operational control over of those activities necessary to ensure compliance with the SWPPP and other permit conditions is the General Contractor listed below.
- The NPDES permit Number for the General Contractor for this project is \_\_\_\_\_.

**SNL CERTIFICATION**

This facility is owned and controlled by the U.S. Government, Department of Energy (DOE). Operations conducted at this facility are for the purpose of carrying out the responsibilities of the DOE under the Atomic Energy Act of 1954, as amended, and the Department of Energy Organization Act. This construction project will be awarded to a general contractor that will have day-to-day management of this construction site.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Name and Official Title

Signature/Date Signed

Mr. Francisco A. Figueroa  
Vice President, Business Management &  
Enabling Services  
Sandia National Laboratories  
P.O. Box, 5800 MS 0112  
Albuquerque, NM 87185  
(505) 844-4653



10/31/05



**Sandia National Laboratories**

Operated for the U.S. Department of Energy by  
**Sandia Corporation**

Albuquerque, New Mexico 87185-1042

date: May 11, 2004  
to: Daniel Borneo, MS-0908 (10826)  
from: Stephanie Salinas, MS-1042 (3121)

T&E Pages  
Insert in  
Appendix B

subject: Threatened, Endangered, and Migratory Bird Scoping Survey for Escarpment Modifications East and South of TA IV (SNA 04-0194)

A scoping survey was conducted to determine if any threatened and endangered species or migratory birds would be impacted by escarpment modifications to Tijeras Arroyo outside of TA-IV. No threatened or endangered species are expected within the surveyed area. The area does have strong potential for nesting migratory birds. Birds seen or heard within the vicinity of the scoping area included Western kingbird (*Tyrannus verticalis*), Swainson's hawk (*Buteo swainsoni*), loggerhead shrike (*Lanius ludovicianus*), mourning dove (*Zenaida macroura*), Say's Phoebe (*Sayornis saya*) and Northern mockingbird (*Mimus polyglottos*). Other animals within the area included New Mexican whiptail (*Cnemidophorus neomexicanus*), black-tailed jackrabbit (*Lepus californicus*), and coyote (*Canis latrans*).

A pair of burrowing owls (*Athene cunicularia*) are located farther south of the project area, but there are at least three burrows that have potential for nesting holes if owls come into the project area. These burrows will be monitored or closed to ensure nesting doesn't occur within the project area. If project activities will be utilizing roads within Tijeras Arroyo, these roads will need to be clearly defined and additional traffic must be limited to these roads (no off-road activities). If vehicles need to access areas outside of the current road structure, additional migratory bird mitigation will be necessary. If there is this potential, please notify me immediately. There is currently a variety of nesting activity within four-wing saltbush (*Atriplex canescens*) at the bottom of the slope within Tijeras Arroyo, this is the area of most concern for the project and it will be necessary to meet with the project coordinator to define boundaries for the activities being conducted and ensuring that construction crews are aware of these boundaries and potential fines associated with non-compliance.

The Migratory Bird Treaty Act (MBTA) prohibits the removal of migratory birds, nests, eggs, or fledglings. If violated, the U.S. Fish and Wildlife can assess fines.

If you have any questions or if the project scope changes, please contact me at 845-7711.

cc: Joe Bonaguidi, MS 1042  
Bill Leinneweber, MS 0908  
Ecology Library, MS 1042  
ISS RC MS 0651



**Sandia National Laboratories**

Operated for the U.S. Department of Energy by  
**Sandia Corporation**

Albuquerque, New Mexico 87185-

date: October 25, 2004

to: David B. Wisler, MS0908 (10826)

from: Steve Cox, MS-1042 (6331)

subject: Biological Assessment of SNL/NM, AIV Drainage and Improvements Project (SNA04-0401)

The areas surveyed are located, in and around TA2 and TA4. See the NEPA checklist for maps of the locations.

The primary objective was to evaluate the area for any nesting bird species of State or Federal concern and or protected by the Migratory Bird Treaty Act (MBTA). The survey was conducted on October 22, 2004.

The Burrowing Owl (*Athene cunicularia*) is the most likely species of concern that could be found in the area. Burrowing Owls on KAFB primarily use the burrows of prairie dogs (*Cynomys gunnisoni*). Burrowing Owls have recently utilized old prairie dog holes within Tijeras Arroyo not far from the southeastern side of TA4, and they have been seen just northeast of TA2.

With few exceptions the work proposed within TA4 poses little risk to nesting birds. There are a few ornamental trees and other landscape vegetation that potentially could be use by nesting birds. The construction of the energy dissipaters also has some potential to impact nesting birds.

The area proposed for the swales and detention basins associated with TA2 is dominated by a disturbed desert grassland habitat. The vegetation for the majority of this area is three-awn (*Aristida* sp.), sand dropseed (*Sporobolus cryptandrus*), and galleta (*Hilaria jamesii*). The shrub component consists of Russian thistle (*Salsola kali*), snakeweed (*Gutierrezia sarothrae*), a few yucca (*Yucca glauca*), and four-wing saltbush (*Atriplex canescens*). There are a few prairie dog burrows not far to the northeast of TA2.

#### Recommendations

With regards to birds protected under the MBTA, now through until early spring would be the best time for construction.

The swales on the east side of TA2 and the areas on the south and southeast of TA4, especially in the Tijeras Arroyo offer the most potential for Burrowing Owls. Although no Burrowing Owls were observed during this survey, they have been observed in close proximity in the past, utilizing the burrows of prairie dogs. Generally most nesting birds will not start to build nests until early March. Should construction not start until after the 1<sup>st</sup> of March and or construction continues past the 1<sup>st</sup> of

March, several visits to survey for nesting birds are recommended. Also, during the construction, avoid existing prairie dog burrows.

If you have any questions, please call me at 844-7054.

cc: MS 0651 ISS Records  
MS 1042 Ecology Library  
MS 1042 Joe Bonaguidi



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

New Mexico Ecological Services Field Office

2105 Osuna NE

Albuquerque, New Mexico 87113

Phone: (505) 346-2525 Fax: (505) 346-2542

NOV - 1 2005

Thank you for your recent request for information on threatened or endangered species or important wildlife habitats that may occur in your project area. The New Mexico Ecological Services Field Office has posted lists of the endangered, threatened, proposed, candidate and species of concern occurring in all New Mexico Counties on the Internet. Please refer to the following web page for species information in the county where your project occurs: [http://ifw2es.fws.gov/NewMexico/SBC\\_intro.cfm](http://ifw2es.fws.gov/NewMexico/SBC_intro.cfm). If you do not have access to the Internet or have difficulty obtaining a list, please contact our office and we will mail or fax you a list as soon as possible.

After opening the web page, find New Mexico Listed and Sensitive Species Lists on the main page and click on the county of interest. Your project area may not necessarily include all or any of these species. This information should assist you in determining which species may or may not occur within your project area.

Under the Endangered Species Act, as amended (Act), it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with us further. Similarly, it is their responsibility to determine if a proposed action has no effect to endangered, threatened, or proposed species, or designated critical habitat. If your action area has suitable habitat for any of these species, we recommend that species-specific surveys be conducted during the flowering season for plants and at the appropriate time for wildlife to evaluate any possible project-related impacts. Please keep in mind that the scope of federally listed species compliance also includes any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect or cumulative effects.

Candidates and species of concern have no legal protection under the Act and are included on the web site for planning purposes only. We monitor the status of these species. If significant declines are detected, these species could potentially be listed as endangered or threatened. Therefore, actions that may contribute to their decline should be avoided. We recommend that candidates and species of concern be included in your surveys.

Also on the web site, we have included additional wildlife-related information that should be considered if your project is a specific type. These include communication towers, power line safety for raptors, road and highway improvements and/or construction, spring developments and livestock watering facilities, wastewater facilities, and trenching operations.

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. We recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands. These habitats should be conserved through avoidance, or mitigated to ensure no net loss of wetlands function and value.

The Migratory Bird Treaty Act (MBTA) prohibits the taking of migratory birds, nests, and eggs, except as permitted by the U.S. Fish and Wildlife Service. To minimize the likelihood of adverse impacts to all birds protected under the MBTA, we recommend construction activities occur outside the general migratory bird nesting season of March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until nesting is complete.

We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding fish, wildlife, and plants of State concern.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area.

Sincerely,

A handwritten signature in cursive script that reads "Brian Hanson".

Brian Hanson  
Acting Field Supervisor

2. The following question was asked:

Question: Arrestors are not showing up in the equipment material list on: Pages 27 & 28 115kv and Page 29 46 Kv.  
Please advise?

Answer: No Arrestors shown or required for Sheet 27  
Include Arrestors noted on Sheet 28  
Include Arrestors noted on Sheet 29

These were inadvertently left off the equipment lists

3. The proposal due date is not extended and remain the 27<sup>th</sup> of January 2006 at 4:00 PM MST.